

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Master File No.: 1:00-1898  
MDL No.: 1358 (SAS), M21-88


This Document Relates To:

*California-American Water Company v. Atlantic  
Richfield Company et al.*, S.D.N.Y. No. 04-Civ.  
4974 (SAS)

**[PROPOSED] ORDER GRANTING PLAINTIFF CALIFORNIA-AMERICAN  
WATER AND DEFENDANT KERN OIL & REFINING CO.'S JOINT MOTION  
FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO  
FRCP 41(a)(2)**

The Court, having considered Plaintiff California-American Water Company and Defendant Kern Oil & Refining Co.'s Joint Motion for Voluntary Dismissal Without Prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, hereby grants the motion and dismisses without prejudice Plaintiff's action as to Defendant Kern Oil & Refining Co. with each party to bear its own costs.

Dated: 3/23/11

  
HON. SHIRA A. SCHEINDLIN

